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16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19 SCOTTSDALE INSURANCE COMPANY, a
20 corporation

21 Plaintiff,

22 v.

23 HUDSON SPECIALTY INSURANCE
24 COMPANY, a corporation

25 Defendant.

CASE NO. 3:15-cv-02896-HSG

26
27
28 **STIPULATION AND ORDER TO
CONTINUE EARLY NEUTRAL
EVALUATION DEADLINE AND
EXCUSING PERSONAL ATTENDANCE**

1 **TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Having met and conferred with respect to the matters set forth herein, plaintiff Scottsdale
3 Insurance Company (“Scottsdale”) and defendant Hudson Specialty Insurance Company
4 (“Hudson”), referred to collectively as the “Parties,” by and through their respective counsel, hereby
5 stipulate and agree as follows:

6 **I.**
7 **RECITALS**

8 1. WHEREAS, pursuant to stipulation, this Court ordered the Parties to participate in an
9 Early Neutral Evaluation session (“ENE”). Pursuant to the presumptive deadline as specified in the
10 local rules of the Northern District, the Court ordered the ENE to occur within ninety day of its
order, on or before September 26, 2016.

11 2. WHEREAS, the Parties have not sought any prior extensions of this presumptive
12 deadline.

13 3. WHEREAS, the Parties believe that any ENE would be more productive and more
14 likely to settle the case if written discovery and documents are exchanged prior to the ENE.

15 4. WHEREAS, the Parties wish to exchange written discovery and obtain documents
16 before the ENE.

17 5. WHEREAS, the Parties have recently propounded initial written discovery and
18 document requests.

19 6. WHEREAS, the Parties have agreed to hold the ENE in the above-referenced matter
20 on October 12, 2016 at 10:30 a.m. at the offices of Selman Breitman LLP at 33 New Montgomery
21 Street, Sixth Floor, San Francisco, California.

22 7. WHEREAS, it would be inconvenient and costly for Scottsdale to personally attend
23 the ENE, as the person responsible for handling this lawsuit is located in Scottsdale, Arizona.

24 8. WHEREAS, it would be inconvenient and costly for Hudson to personally attend the
25 ENE, as the person responsible for handling this lawsuit is located in New York, New York, and the
26 closest representative of Hudson able to attend the ENE is located in New York, New York.

27 9. WHEREAS, a Scottsdale representative may attend the ENE by telephone.
28

10. WHEREAS, a Hudson representative may attend the ENE by telephone.

11. WHEREAS, the parties hereby agree and stipulate that Scottsdale and Hudson's representatives do not need to personally attend the ENE, but that they will attend by telephone for the duration of the ENE.

II. **STIPULATION**

Scottsdale and Hudson hereby stipulate and agree as follows:

1. The Parties agree to continue the ENE presumptive deadline to allow the ENE to be held on October 12, 2016.

2. The Parties will hold the ENE in the above-referenced matter on October 12, 2016, at 10:30 a.m. at the offices of Selman Breitman LLP at 33 New Montgomery Street, Sixth Floor, San Francisco, California.

3. Scottsdale's representative may attend the ENE by telephone.

4. Hudson's representative may attend the ENE by telephone.

Dated: August 11, 2016

SELMAN BREITMAN LLP

By /s/ James R. Tenero
JAMES R. TENERO
CHRISTOPHER C. RANCK
Attorneys for Plaintiff
SCOTTSDALE INSURANCE COMPANY

Filer's Attestation: Pursuant to Civil Local Rule 5-1(i)(3), Stephen P. Ellingson hereby attests that concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: August 11, 2016

HAYES SCOTT BONINO ELLINGSON & McLAY, LLP

By /s/ Stephen P. Ellingson
STEPHEN M. HAYES
STEPHEN P. ELLINGSON
JONATHAN K. MYERS
Attorneys for Defendant
HUDSON SPECIALTY INSURANCE COMPANY

ORDER

Pursuant to the parties' stipulation, the Court hereby orders as follows:

1. The ENE presumptive deadline is continued to allow the ENE to be held on October 12, 2016.
2. The Parties will hold the ENE in the above-referenced matter on October 12, 2016 at 10:30 a.m. at the offices of Selman Breitman LLP at 33 New Montgomery Street, Sixth Floor, San Francisco, California.
3. Scottsdale's representative may attend the ENE by telephone.
4. Hudson's representative may attend the ENE by telephone.

IT IS SO ORDERED.

Dated: August 15, 2016

By

HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA